

Mandan, Hidatsa and Arikara Tribes
TRIBAL EMPLOYMENT RIGHTS OFFICE (TERO)

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28 Jun 2019

To: All Certified Indian Contractors,

From: MHA Nation TERO

EFFECTIVE IMMEDIATELY, ALL Preference Partnership Agreements (PPA's) must be in compliance with the MHA TERO Regulations and accepted into your TERO Business License file to be recognized and valid. Currently, there are some Indian Contractors who may have older agreement's that do not meet the requirements of the PPA Guidelines identified in the MHA TERO Regulations. The updated PPA's and mentorship plans will be reviewed before being presented to the TERO Commission.

In the MHA TERO Regulations, Section 1.3 – Definitions, defines a Preference Partnership Agreement (PPA) as: **a TERO approved agreement between a Certified Indian Contractor and another contractor, which is structured as a tool for the Indian Contractor to perform a service it cannot currently perform by itself with the use of a mentorship/partnership process.** This means that ANY name used for such an agreement, i.e. Lease Agreement, MSA, Subcontract Agreement, etc., where Indian Preference is play between the Indian Contractor and another contractor is subject to this definition.

Under Section 3.2 (F), Preference Partnership Agreement (PPA) Guidelines are identified. It states what guidelines that must be included in your PPA. It also has the requirement for the documents to be notarized and that you have a company safety plan. The mentorship plan with timeline is a very important aspect to this. It will be the plan identified to help your company learn and grow with the goal of performing the service on your own.

All submissions must be received by the MHA TERO Indian Contracting Department **no later than 1 September 2019.** If you have any questions please call if you have any questions, please call Kelcey Packineau, Indian Contracting Director. Mr. Packineau's can be reached at (701) 421-1803 and at the email address: 007tero@mhanation.com.

MHA TERO is always striving to advance and protect our Certified Indian Contractors while rigorously protecting Indian Preference. We want to ensure that safeguards are in place legally and administratively to ensure that protection. Your compliance with the MHA TERO Ordinance and Regulations is essential for that to be established. Thank you for your cooperation and efforts as we continue to advance and support our Indian Contractors.

Regards,

Charles Foote
MHA TERO Director